

8/09/10 8:38:23 55
OK W BK 639 PG 669
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Prepared by: Shapiro & Massey, L.L.P. J. Gary Massey, MSB No. 1920 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 S&M No. 10-000774	Return to: Shapiro & Massey, L.L.P. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 Loan No. XXXXXX1136
---------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------

GRANTOR	GRANTEE
J. Gary Massey Shapiro & Massey, LLP 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601) 981-9299	EverBank 8100 Nations Way Jacksonville, Florida 32256 800-669-7724

SUBSTITUTED TRUSTEES DEED

INDEX: Lot 159, Sec. B, Braybourne S/D, Sec. 32, T-1-S, R-5-W, DeSoto Co/MS

PG 64 158

WHEREAS, on September 30, 2003, Gregory T. Chandler and Peggy S. Chandler, husband and wife, executed a Deed of Trust to Kathryn L. Harris, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc., which Deed of Trust is filed for record in Book 1848 at Page 136 in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to EverBank by instrument dated June 18, 2010 and recorded in Book 3,180 at Page 748 of the aforesaid Chancery Clerk's office; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, EverBank, substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated June 24, 2010, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 3,181 at Page 750 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by EverBank to foreclose under the terms of said Deed of Trust, I did on August 3, 2010, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the East Front Door of the County Courthouse of DeSoto County, located at Hernando;

Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

(See Exhibit A)

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in THE DESOTO TIMES-TRIBUNE, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on July 13, 20, and 27, 2010, (a certified copy of which is attached hereto,) and a notice identical to the published notice was posted on the bulletin board at the East Front Door of the County Courthouse of DeSoto County, Hernando, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, EverBank bid for said property in the amount of \$150,078.07, which being the highest and best bid, the same was then and there struck off to EverBank and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto EverBank the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on August 3, 2010.



J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on this the Third day of August, 2010, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.




Notary Public

(Exhibit A)

Lot 159, Section B, Braybourne Subdivision, situated in Section 32, Township 1 South, Range 5 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 64, Page 8, in the office of the Chancery Clerk of DeSoto County, Mississippi.

DESOTO TIMES-TRIBUNE

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

Volume No. 115 on the 13 day of July, 2010

Volume No. 115 on the 20 day of July, 2010

Volume No. 115 on the 27 day of July, 2010

Volume No. _____ on the _____ day of _____, 2010

Volume No. _____ on the _____ day of _____, 2010

Volume No. _____ on the _____ day of _____, 2010

Diane Smith

Sworn to and subscribed before me, this 27 day of July, 2010

BY Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2013
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



I WILL CONVEY only such title as vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 8th day of July, 2010.

J. Gary Massey
SUBSTITUTED TRUSTEE
Shapiro & Massey, L.L.P.
1910 Lakeland Drive
Suite B

Jackson, MS 39216
(601) 981-8299
13100 Graybourne Cove
Olive Branch, MS 38854

10-090774LB

Publication Dates:

July 13, 20, and 27, 2010

A. Single first insertion of 394 words @ .12 \$ 47.28

B. 2 subsequent Insertions of 788 words @ .10 \$ 78.80

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 129.08

2443 Hwy. 51 South, Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on September 30, 2008, Gregory T. Chandler and Peggy S. Chandler, husband and wife executed a certain deed of trust to Kathryn L. Harris, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc., which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 1848 at Page 136; and

WHEREAS, said Deed of Trust was subsequently assigned to EverBank, by instrument dated June 18, 2010 and recorded in Book 3,180 at Page 748 of the aforesaid Chancery Clerk's office; and

WHEREAS, EverBank has heretofore substituted J. Gary Massey as Trustee by instrument dated June 24, 2010 and recorded in the aforesaid Chancery Clerk's Office in Book 3,181 at Page 750; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, EverBank, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, I, J. Gary Massey, Substituted Trustee in said deed of trust, will on August 3, 2010 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East Front Door of the County Courthouse of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

Lot 150, Section B, Baybreeze Subdivision, situated in Section 32, Township 1 South, Range 5 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 64, Page 8, in the office of the Chancery Clerk of DeSoto County, Mississippi.